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INC.

16 **UNITED STATES BANKRUPTCY COURT**
17 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

18 In re Case No. 22-10698-B
19 AGRIGENIX, LLC, Chapter 7
20 Debtor. DC No.: MB-02
21 Hearing
22 Date: June 2, 2022
23 Time: 1:30 p.m.
24 Place: Dept. B, Ct. Rm. 13, 5th Fl.
25 United States Bankruptcy Court
26 2500 Tulare Street
27 Fresno, CA
28 Judge: Honorable René Lastreto, II

**ORDER GRANTING MOTION FOR RELIEF FROM STAY
TO ALLOW DISTRICT COURT ACTION TO PROCEED TO FINAL JUDGMENT**

Creditor Deerpoint Group Inc.’s Motion for Relief from Stay to Allow District Court Action to Proceed to Final Judgment (the “Motion”), filed with the Clerk of the Court on May 3, 2022 [Doc 9], came on for hearing before the Honorable Rene Lastreto, II on June 2, 2022. Hagop T. Bedoyan of McCormick, Barstow, Sheppard, Wayte & Carruth LLP appeared on behalf of moving party, Deerpoint Group, Inc. (“Deerpoint”). Stephen Labiak appeared on behalf of Agrigenix, LLC, the above-named debtor (“Agrigenix”). There were no other appearances or opposition to the Motion.

The court, having reviewed the Motion and supporting papers, the *Response to Motion for Relief from Stay* filed by the Debtor on May 16, 2022 [Doc 20] and the Reply filed by Deerpoint on May 24, 2022 [Doc 23], and good cause appearing therefore, it is

HEREBY ORDERED as follows:

1. The defaults of the creditors, the chapter 7 trustee, the United States Trustee or any other party in interest, other than Agrigenix is entered;

2. The Response of Agrigenix, which the court views as opposition to the Motion, is overruled;

3. The Motion is granted pursuant to 11 U.S.C. § 362(d)(1), as more specifically provided below;

4. The Automatic Stay imposed by 11 U.S.C. § 362(a) will be modified to permit the United States District Court to resolve the District Court Action (as defined in the Motion).

5. Deerpoint will be permitted to only liquidate its claim against Agrigenix;

6. Defense costs and payment of any claim by Agrigenix's insurance carrier will be permitted;

7. Deerpoint will not be permitted to enforce its claim against Agrigenix or its bankruptcy estate; and

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1 8. Deerpoint's request that the court waive the 14-day stay under FRBP 4001(a)(3) is
2 granted.

Dated: Jun 06, 2022

By the Court

René Lastreto II
René Lastreto II, Judge
United States Bankruptcy Court